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United States Government

Department of Energy

Rocky Flats Office

DUE DATE 10-15-91

# memorandum

ACTION *Kersh*

- BENJAMIN, A.
- BERTZ, J.C.
- BURNINGHAM, A.H.
- COPE, R.D.
- DOUGHER, D.W.
- DAVIS, J.A.
- EVERETT, J.E.
- FERRELL, D.W.
- FERRELL, L.B.
- FRANK, P.J.
- FRANK, P.J.
- GOSWAMI, R.
- HANN, G.J.
- HAY, J.A.
- HERRICK, E.H.
- HERRICK, J.P.
- HERRICK, J.M.
- HERRICK, W.A.
- HERRICK, D.
- HERRICK, A.W.
- JEE, E.H.
- MASTERS, J.B.
- MARK, G.F.
- MATHEWS, Y.A.
- MCGONIGLE, E.A.
- MCGONIGLE, S.V.
- PIZZINO, V.M.
- POTTER, G.L.
- RAFFILLI, E.P.
- SANDERSON, H.M.
- SWANSON, E.R.
- WHEAT, J.K.
- WILKINSON, R.B.
- WILSON, J.M.
- YOUNG, E.R.
- ZANE, J.D.

SEP 20 1991

ERD BT 7753

Compliance with Statutes and Implementing Regulations

J M Kersh, Associate General Manager  
Environmental Restoration and Waste Management  
EG&G Rocky Flats, Inc

This purpose of this memorandum is to notify you that DOE RFO expects all activities conducted at the RFP to be in compliance with the following statutes and their implementing regulations

- 1) Endangered Species Act,
- 2) Migratory Bird Treaty Act,
- 3) Fish and Wildlife Coordination Act, and
- 4) Bald and Golden Eagle Protection Act.

Note that copies of the above statutes and regulations are attached. All the above statutes and regulations are included in the attachments with the exception of the Endangered Species Act. A copy of the Endangered Species Act along with its implementing regulations can be obtained from Oak Ridge National Laboratory (ORNL) by calling Julia M Stockstill at FTS 624-7317

*and RFX*

We request that appropriate personnel at EG&G Rocky Flats, Inc be given copies of the attached statutes and regulations along with a copy ORNL's Environmental Guidance Program Reference Book on the Endangered Species Act. EG&G Rocky Flats, Inc will be held responsible for advising DOE RFO regarding compliance with these biology-oriented statutes. Thus, you should become familiar with both the statutes and their implementing regulations. In addition, you should become knowledgeable with how the U S Fish and Wildlife Service and the Colorado Department of Natural Resources (Division of Wildlife) enforces the statutes and regulations.

WORKS CONTROL  
(RAFFIO)

Reviewed for Address  
Comp. Control RFP  
7-23-91 *Cin*

DATE BY

Re: Ltr. #

You should also verify whether there are additional biology-oriented statutes beyond those listed above that are important to operations at the RFP. Finally, you need to verify that the implementing regulations for the above statutes included in the attachments are complete. If not, you are responsible for obtaining those portions that are missing and forwarding a copy to DOE RFO

ADMIN RECORD

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se to this memorandum, we request that you provide DOE RFO with a written  
sure for complying with these statutes and regulations. This procedure should  
lude as part of the document or as an attachment a listing of EG&G Rocky Flats,  
inc organizations and individuals responsible for compliance. Your written response  
should be forwarded to DOE, RFO by October 15, 1991

Should you have any questions, contact Bruce Thatcher of my staff at extension 3532

  
David P Simonson  
Assistant Manager  
for Environmental Management

Attachment

cc w/o atch  
F Lockhart, ERD, RFO  
R Schassburger, ERD, RFO  
G Fess, OCC RFO  
B Thatcher, ERD, RFO